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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,887	11/08/2001	Jeong-Kyu Moon	678-665 (9721)	5279

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/008,887

**Applicant(s)**

MOON, JEONG-KYU

**Examiner**

Gerald Gauthier

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Whalen et al. (US 5,948,066) in view of Warsta et al. (US 5,896,369).

Regarding **claim 1**, Whalen discloses a method for delivery of information over narrow-band communications links (column 1, lines 6-9), (which reads on claimed "a network access control method in a mobile communication terminal with a built-in web browser"), comprising the steps of:

- (a) upon receipt of an access request from a user (column 3, line 42 "the mobile user"), accessing a web server (30 on FIG. 1) through a network (column 3, lines 38-67) [The mobile user opens a URL, and submits the request to the mobile client which in turn accesses the fixed server];
- (b) displaying a web document (column 4, line 34 "an HTML page") from the web server (column 4, lines 22-54) [The HTML page contains image, java applets sounds which is available for the browser to properly display the page to the mobile user];

(c) upon receipt of an operation command (column 7, line 24 “submit a different request”) from the user, while displaying the web document, performing an operation (column 7, line 20 “display the general information”) according to the operation command (column 7, lines 16-28) [The mobile user can quickly access the general information and has the opportunity to cancel the request or submit a different request before the completion of the page]; and

(e) repeating step (a-d), (column 7, lines 16-28) [The general information gives the mobile user an opportunity to submit a different request].

Whalen discloses allowing the mobile user to cancel the request but fails to disclose temporarily releasing an access to the network, upon failure to receive any web related operation command from the user for a predetermined time after displaying the web document.

However, McKeen teaches

(d) temporarily releasing an access to the network, upon failure to receive any web related operation command from the user for a predetermined time after displaying the web document (column 6, lines 11-32) [The data communication software releases the connection automatically in a long break at a predetermined time has occurred in the data communication].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the temporarily releasing an access to the network, upon failure to receive any web related operation command from the user for a predetermined

time after displaying the web document of Warsta to modify the Internet origin host of Whalen.

The modification of the invention would offer the capability of temporarily releasing an access to the network, upon failure to receive any web related operation command from the user for a predetermined time after displaying the web document such as the system would not allocated the radio resources during silent periods.

Regarding **claim 2**, Warsta teaches determining if the web related operation command has been entered by the user (column 6, lines 11-32);

determining whether the predetermined time has elapsed (column 6, lines 11-32); and

upon failure to receive the web related operation command from the user before a lapse of the predetermined time, temporarily releasing the network access to the web server to enable the mobile communication terminal to receive an incoming call (column 6, lines 11-32).

Regarding **claim 3**, Whalen disclose upon receipt of the web related operation command from the user, repeating step (a) (column 7, lines 16-28).

Whalen fails to disclose upon receipt of a network access end request from the user, releasing an access to the network.

However, Warsta teaches upon receipt of a network access end request from the user, releasing an access to the network (column 5, lines 63-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use upon receipt of a network access end request from the user, releasing an access to the network of Warsta to modify the Internet origin host of Whalen.

The modification of the invention would offer the capability of upon receipt of a network access end request from the user, releasing an access to the network such as the system would not allocated the radio resources during silent periods.

Regarding **claim 4**, Warsta teaches releasing an access to the network upon receipt of a network access end request from the user in step (d) (column 5, lines 63-67).

Regarding **claim 5**, Whalen discloses wherein the predetermined time is set by the user (column 3, lines 38-67).

Regarding **claim 6**, Whalen discloses wherein the web related operation command is issued when the user inputs a URL, clicks a hyperlink on the displayed web document, or refreshes a displayed web document (column 3, lines 38-67).

Regarding **claims 7 and 9**, Whalen discloses wherein the network is the Internet (column 2, lines 56-67).

Regarding **claim 8**, Whalen discloses a method for delivery of information over narrow-band communications links (column 1, lines 6-9), (which reads on claimed “a network access control method in a mobile communication terminal, the terminal including a controller, a memory, an input and a display means, an audio and a video processor, a signal transmitter, a receiver and a duplexer, and having a built-in web browser”), the method comprising the steps of:

- (a) establishing network access when a user command requesting establishment of the network access is received (column 3, lines 38-67) [The mobile user opens a URL, and submits the request to the mobile client which in turn accesses the fixed server];
- (b) performing a plurality of operations when the user command corresponding to one of the plurality of operations is received (column 4, lines 22-54) [The HTML page contains image, java applets sounds which is available for the browser to properly display the page to the mobile user upon request];
- (c) determining if user commands requesting performance of any of plurality of web related operations were accepted in a predetermined time (column 5, lines 42-62) [The browser issues a request for any dependent resource and the software respond immediately to the request]; and
- (e) repeating step (a-d) (column 7, lines 16-28) [The general information gives the mobile user an opportunity to submit a different request].

Whalen discloses allowing the mobile user to cancel the request but fails to disclose temporarily terminating the network access if the determination is negative.

However, Warsta teaches

(d) temporarily terminating the network access if the determination is negative (column 6, lines 11-32) [The data communication software releases the connection automatically in a long break at a predetermined time has occurred in the data communication].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the temporarily terminating the network access if the determination is negative of Warsta to modify the Internet origin host of Whalen.

The modification of the invention would offer the capability of temporarily terminating the network access if the determination is negative such as the system would not allocated the radio resources during silent periods.

### ***Response to Arguments***

3. Applicant's arguments with respect to **claims 1-9** have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
g.g.  
May 3, 2004

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